

1 Shana E. Scarlett (Bar No. 217895)
shanas@hbsslaw.com

2 **HAGENS BERMAN SOBOL SHAPIRO LLP**

3 715 Hearst Avenue, Suite 300

4 Berkeley, CA 94710

5 Telephone: (510) 725-3000

6 Facsimile: (510) 725-3001

7 **QUINN EMANUEL URQUHART & SULLIVAN, LLP**

8 Kevin Y. Teruya (Bar No. 235916)

9 kevinteruya@quinnmanuel.com

10 865 South Figueroa Street, 10th Floor

11 Los Angeles, CA 90017-2543

12 Telephone: (213) 443-3000

13 *Counsel for the Klein Plaintiff Objectors (Interim
14 Consumer Class Counsel in the Klein Litigation)*

15 [Additional Counsel Listed in Signature Block]

16 **UNITED STATES DISTRICT COURT**

17 **NORTHERN DISTRICT OF CALIFORNIA**

18 **SAN FRANCISCO DIVISION**

19 IN RE: FACEBOOK, INC. CONSUMER
20 PRIVACY USER PROFILE LITIGATION

21 MDL NO. 2843
22 Case No. 18-md-02843-VC

23 Hon. Vince Chhabria

24 **DECLARATION OF RACHEL BANKS
25 KUPCHO IN SUPPORT OF *KLEIN*
26 PLAINTIFFS' STATEMENT OF
27 OBJECTION TO RELEASE IN
28 *FACEBOOK, INC. CONSUMER PRIVACY
USER PROFILE LITIGATION*
SETTLEMENT AGREEMENT**

29 [REDACTED VERSION]

30 This Document Relates To: All Actions

31 Case No. 18-MD-02843-VC

32 KUPCHO DECL. ISO *KLEIN* PLAINTIFFS' STATEMENT OF OBJECTION TO *FACEBOOK USER PROFILE*
33 SETTLEMENT AND RELEASE

1 I, Rachel Banks Kupcho, state under oath, as follows:

2 1. I make this declaration of my own personal, firsthand knowledge, and if called and
3 sworn as a witness, I could and would competently testify as follows.

4 2. I am a named plaintiff and proposed representative of the Consumer Class in the
5 case captioned *Klein et al. v. Meta Platforms, Inc.*, Case No. 3:20-cv-08570-JD (N.D. Cal.).

6 3. I believe I am a member of the proposed Settlement Class in *In Re: Facebook, Inc.*
7 *Consumer Privacy User Profile Litigation*, Case No. 3:18-md-02843-VC (N.D. Cal.).

8 4. I object to the Settlement and its release for the reasons set forth in the submission
9 being filed by my attorneys entitled “*Klein Plaintiffs’ Statement of Objection to Facebook, Inc.*
10 *Consumer Privacy User Profile Litigation Settlement Agreement*,” including that the *Consumer*
11 *Privacy User Profile* release is so broad that it may release distinct claims based on a different set
12 of facts and legal theories which are currently being litigated before Judge Donato as part of the
13 *Klein* litigation (in which I serve as a proposed class representative for the Consumer Class).

14 5. I am represented by counsel, and their full names, telephone numbers, and email
15 addresses are listed in the caption page of this filing, as well as in the filing entitled “*Klein*
16 *Plaintiffs’ Statement of Objection to Release in Facebook, Inc. Consumer Privacy User Profile*
17 *Litigation Settlement Agreement*.”

18 6. My address is [REDACTED]. My telephone
19 number is [REDACTED]. My email address is [REDACTED]

20 7. To the best of my knowledge, I believe that my Facebook account URL is
21 www.facebook.com/rachel.kupcho, that the email address associated with my Facebook account
22 is [REDACTED], and that the phone number associated with my Facebook account is
23 [REDACTED].

24 8. I have maintained a Facebook account since 2008 and therefore understand that I
25 have been a Facebook user during the *Facebook User Profile* Settlement Class Period.

26 9. My objection applies to all *Facebook User Profile* Settlement Class members, on
27 behalf of the Consumer Class in *Klein v. Meta*.

1 10. I have previously objected to one class action settlement; specifically, to *In Re*
2 *Facebook Internet Tracking Litigation*, Case No. 5:12-md-02314-EJD (N.D. Cal.).

3 11. I have not sold or otherwise transferred the right to my recovery in this Action to
4 another person or entity.

5 12. I intend to appear at the Final Approval Hearing through counsel.

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7 I declare under penalty of perjury that the foregoing is true and correct.

8 Executed on this 26th day of July, 2023, in [REDACTED].

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12 Rachel Banks Kupcho

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